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ABSTRACT

The latest edition of "Robert's Rules of Order" (Newly Revised) has received praise for its improved clarity and its simplification of the complex rules of parliamentary procedure. The author questions, however, the relevancy and applicability of even these simplified legislative rules to the smaller informal group setting. Taking the position that there is need for a clear separation of parliamentary procedures for legislative bodies and for small informal organizations, he suggests development and standardization of a set of simple rules for use in informal groups. He proposes a model designed to provide a simplified version of parliamentary procedure which is clear, direct, easy to implement and easy to teach. (Author/LG)

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FUNDAMENTAL CHANGE IN PARLIAMENTARY PROCEDURE

Don Sikkink *

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The reviews of the latest edition of Roberts Rules of Order, Newly Revised, have been favorable. The emphasis in these reviews has been on the improvement in clarity to be found in this latest version.

> ". . . the current edition of the standard work maintains the virtues of its predecessors and adds some excellences of clarity not always to be found in the earlier versions."[1]

Professor Aly's comment is well taken. After teaching from the book and after using it as a parliamentarian, the clarity of the new edition over previous versions is obvious. This applause on clarity appears to be coming from those of us who call ourselves "experts" and who claim to have mastered the complexities of parliamentary procedure. For us, the excessive complexities of the older versions were bothersome and thus we welcome this still complex but somewhat more clear edition.

Is it possible that we would get a quite different reaction about clarity from the "non-experts," from the "disadvantaged" in our society whom we urge to use the existing methods of change? Would they agree this book is a real improvement for securing change when they discover:

1. We still need eighty-two separate motions for a complete system of parliamentary procedure?
2. We still have available motions like Postpone Indefinitely which have the purposes to allow

> "the assembly (to) decline to take a position on the main question ... is sometimes employed by strategists to test their strength on a motion they oppose...enables

CS 500121

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members who have exhausted their right of debate on the main question to speak further...."[2]

3. We still need to distinguish between four differently named procedures in order to accomplish somewhat similar acts? (parliamentary inquiry, point of order, question of privilege, division).

4. We still must cope with parliamentary complications such as those which occur with the motion to reconsider?

> "It can only be made by a member who voted with the prevailing side...a reconsideration can be moved only by one who voted aye if the motion involved was adopted, or no if the motion was lost. (In standing and special committees, the motion to Reconsider can be made by any member who did not vote on the losing side--including one who did not vote at all.) It should be noted that it is possible for a minority to be the prevailing side if a motion requiring a two-thirds vote for adoption is lost...The making of this motion is subject to time limits, as follows: In a session of one day--such as an ordinary meeting of a club or a one-day convention, the motion to Reconsider can be made only on the same day the vote to be reconsidered was taken. In a convention or session of more than one day, a reconsideration can be moved only on the same or the next succeeding day after the original vote was taken (not counting a legal holiday or a day on which no business meeting is held.) These time limits do not apply to standing or special committees...

> The making of this motion has a higher rank than its consideration, that is, the motion can be made and seconded at times when it is not in order for it to come before the assembly for debate or vote. In such a case it can be taken up later, even after it would be too late to move it in the first place. If the motion to Reconsider is introduced at a time when it cannot be taken up, the chair does not state the question on it as pending, but asks the secretary to record the motion as made and seconded. This temporarily suspends any action growing out of the vote it is proposed to reconsider. While a motion to reconsider the vote on a main motion has this status, a member can bring the motion before the assembly at any time when its consideration is in order. When he does this, he is said to call up the motion to Reconsider. Except by unanimous consent, a motion to Reconsider that has not been finally disposed of cannot be withdrawn after it is too late to renew it; that is, it can be withdrawn only within the same time limits as for making the motion in the first place."[3]

Professor Aly in his review interestingly reflects on the use of violence by some students:

> "The students who aspire to be the leaders of a current American revolution have apparently chosen the French rather than their American forebears as their model, for with cries of 'Right on!'

> and without deliberation, they proceed to destroy the library, the Student Union, or the ROTC Building...
>
> For such young people, Roberts Rules of Order, Newly Revised, will have to employ their cliche - 'no relevance.'"[4]

Few would choose to defend violence but many might question the assumed relationship between violence and "no relevance" for Roberts Rules of Order. Is it possible that well-meaning, non-violent students (and non-students) will find Roberts non-relevant because the complexities of this work are better suited to large legislative bodies than to the needs of small informal groups? This difference between large, complex organizations and small informal groups has long been a troublesome problem in parliamentary procedure. Sturgis comments on this issue by noting:

> "There are, of course, many meetings where almost no rules of procedure are necessary. Observance of a few principles of procedure is sufficient."[5]

Jones commenting on the problems of using legislative rules says:

> "The technical rules of procedure used in a legislature are impractical for the ordinary civilian group both because they are quite complicated in order to meet the needs of a large body with a tremendous volume of business and because no two legislatures have exactly the same rules."[6]

The solution to this problem to this date has taken the form of books "explaining" Roberts: books with simplifying lists, charts, indexes and numerous other devices to make the "classic work" usable for non-legislative groups.

It is the position of this writer that these attempts have been of doubtful value and that we now need more than "attempts to simplify those rules that have evolved from legislative practice so that they are useful and understandable for even the small, informal organization."[7] We need a clear separation of parliamentary procedures for legislative bodies and parliamentary procedures for small informal groups. We need to write, develop and standardize a set of simple rules for small and informal organizations. One such "model" of rules for small informal groups is given below to illustrate this proposal.

A. We should drastically reduce the total number of motion and procedures and at the same time eliminate the idea of motion classification (main, subsidiary, incidental, privileged). The following list of eight motions could be adequate for small organizations.

General Motions - These motions would bring any new items of business before the organization.

Meeting Termination Motions - The exact nature of the termination would be stated in the motion. (e.g. - "I move we adjourn or close the meeting or recess or stop the meeting for 5 minutes.")

Refer to Committee Motions - The exact form, type of committee and method of return would be indicated in the motion. (e.g. - I move we refer this to a committee of three to be appointed by the chairman or I move Dick, Tom and Mary study this motion and make a recommendation to us at the next meeting.)

Postpone Motions - The exact time or condition would need to be stated in the motion. (e.g. - I move to

postpone this to our next meeting or I move to postpone this until 4 o'clock.)

Amend Motions - Only one level of amendment should be allowed at one time. (e.g. - only "primary" amendments could be made.) Every motion could be amended.

Restrict Debate Motions - The exact nature of the restriction is to be stated in the motion. (e.g. - I move we close debate or I move we close debate after two more speeches.)

Appeal Motions - A motion to allow the membership to overrule decisions of the chairman.

Request Procedures - This procedure would cover all questions to the chairman now involving parliamentary inquiry, point of order, question of privilege, request for division of a question, request for withdrawal and similar requests. A member would stand and without recognition call out "request." The chairman would ask the member to state the request, and then respond. A member dissatisfied with the chairman's reply could make a motion to "appeal."

B. The distinctions among Constitutions, By-laws, Standing Rules and Rules of Order should be dropped. Instead each organization should govern itself with a document called "Club Rules" which should include the basic regulations of that organization and including a provision for changing the club rules.

C. All motions and all procedures should be debatable except for the motion to restrict debate and amendments to restrict debate.

D. The vote requirement for passage on all motions should be a majority except that the motion to restrict debate and amendments to restrict debate will require a 2/3d's vote.

E. The order of rank (precedence) in making the limited set of motions proposed in this model would be as follows:

Rank		
(Lowest)	1.	General
		1a. Amendment
	2.	Refer to Committee
		2a. Amendment
	3.	Postpone
		3a. Amendment
	4.	Appeal Motions
	5.	Meeting Termination
		5a. Amendment
	6.	Restrict Debate
		6a. Amendment
(Hiphest)	7.	Request Procedures

Changes such as these could have a meaningful impact on individuals who feel that legislative parliamentary procedure allows a few people to "show off" their superior knowledge of technical details and in doing so prevent real decisions from being reached. It is time to respond to such critics by providing a simplified version of parliamentary procedure which is clear, direct, and easy to teach.

NOTES

1. Bower Aly, New Books in Review, Quarterly Journal of Speech, LVI, No. 4 (December, 1970), p. 454.
2. Henry M. Robert, Roberts Rules of Order: Newly Revised (Scott, Foresman and Co., Glenview, Illinois, 1970).
3. Ibid, p. 105.
4. Aly, p. 454.
5. Alice F. Sturgis, Learning Parliamentary Procedure. (McGraw-Hill Book Company, Inc., New York, 1953).
6. O. Garfield Jones, Parliamentary Procedure at a Glance. Hawthorn Books, Inc., New York, 1949).
7. Wayne Hoogestraat and Donald Sikkink, Modern Parliamentary Practices, (Burgess Press, Minneapolis, Minnesota, 1966), p. i.